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10 UNITED STATES DISTRICT COURT
11 DISTRICT OF NEVADA

12 MICHAEL A. VIDAL, et al.,

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14 Plaintiffs,

15 v.

16 VERIZON PENSION PLAN FOR
17 ASSOCIATES, et al.,

18 Defendants.
19
20

Case No.: 2:22-cv-00274-ART-BNW

**ORDER APPROVING
STIPULATION FOR EXTENSION OF
TIME FOR MICHAEL A. VIDAL AND
ESTATE OF EVA RAMOS (THROUGH
ITS ADMINISTRATOR JESSICA
CLEMENTE) TO FILE AN
OPPOSITION AND RESPONSE TO ECF
NO. 42 (THE DEFENDANTS' MOTION
TO DISMISS) WHICH SUBJECT
MOTION WAS FILED ON JUNE 17, 2022
(SECOND REQUEST)**

21
22 Now come Plaintiffs Michael A. Vidal and Estate of Eva Ramos (through its Administrator
23 Jessica Clemente) (hereinafter collectively "Plaintiffs"), Conduent Incorporated, Conduent Business
24 Services, LLC, Xerox Corporation, and Xerox HR Solutions, LLC (hereinafter collectively the
25 "Conduent Defendants"), and Defendants Verizon Pension Plan for Associates, Verizon Employee
26 Benefits Committee, Kevin Cammarata, Verizon California Inc., Verizon Communications Inc.,
27 Verizon Services Corp., and Verizon North. LLC, (hereinafter collectively the "Verizon
28 Defendants"), and pursuant to LR IA 6-1, LR IA 6-2, LR 7-1, LR 7-2, Federal Rule of Civil

1 Procedure Rule 6 and any other applicable rule needed to effectuate this stipulation hereby stipulate
 2 and agree concerning the above captioned case, Case No. 2:20-cv-00924-ART-BNW (hereinafter
 3 referred to as the “Case” or “instant matter”), as follows:

4 WHEREAS, *all* parties that have appeared in the Case—including Conduent Defendants,
 5 Verizon Defendants and the Plaintiffs (hereinafter the Conduent Defendants, Verizon Defendants
 6 and Plaintiffs are collectively referred to as the “Stipulating Parties”)—agreed, consented and
 7 stipulated between themselves to the stipulations, agreements, caveats, terms and conditions
 8 presented and embodied in a preceding stipulation (ECF No. 32) filed by the Conduent Defendants
 9 on June 6, 2022 (hereinafter ECF No. 32 is referred to as the “June 6th SAO”) as well as the
 10 stipulations filed-and-embodied in ECF No. 46 and ECF No. 47 and whereas the Stipulating Parties
 11 now stipulate that because nearly all the same issues concerning timing, scheduling, overlapping of
 12 time demands, unavoidable unexpected legal commitments and judicial economy still persist and
 13 additionally the Plaintiffs’ time to oppose (respond to) ECF No. 42 has been detracted from (and
 14 reduced) by overlapping discovery related (and discovery planning and discovery conferencing with
 15 the Conduent Defendants and Verizon Defendants) issues-and-demands in this matter such that the
 16 Plaintiffs’ time to oppose (and respond to) ECF No. 42 should be extended by another 17-days and
 17 that the Plaintiffs’ (and Plaintiffs’ counsels’) time to oppose (and respond to) ECF No. 42 should be
 18 enlarged and extended until the end of August 22, 2022;

19 WHEREAS, this Case’s discovery period demands, discovery issues, discovery
 20 communication needs and discovery conferences have also already substantially displaced and cut
 21 into the Plaintiffs’ time to prepare an opposition (and response) to ECF No. 42;

22 WHEREAS, the Stipulating Parties agreed, consented and stipulated to all stipulations,
 23 agreements, caveats, terms and conditions submitted to the Court in the June 6th SAO, ECF No. 46
 24 and ECF No. 47 and whereas the aforesaid stipulations, agreements, caveats, terms and conditions
 25 were agreed and stipulated to—by the Stipulating Parties—in the June 6th SAO, ECF No. 46 and
 26 ECF No. 47 (on the record) and email correspondence (off the record) and whereas this stipulation is
 27 made in good faith and not made for purposes of delay (and whereas based on the June 6th SAO the
 28 Conduent Defendants and Verizon Defendants were permitted by the Court to file their first

1 responses in this Case within the extended stipulated period provided under the June 6th SAO [which
2 each did on June 17, 2022]];

3 WHEREAS, the Verizon Defendants filed a motion to dismiss (ECF No. 42) (hereinafter
4 referred to as the “Verizon MTD”) on June 17, 2022 and in the Verizon MTD the Verizon
5 Defendants also stated they “join” the Conduent Defendants’ subsequent June 17, 2022 motion to
6 dismiss (ECF No. 44);

7 WHEREAS, the Conduent Defendants also filed a motion to dismiss (ECF No. 44)
8 (hereinafter referred to as the “Conduent MTD”) on June 17, 2022 and in the Conduent MTD the
9 Conduent Defendants also state they “join” the Verizon MTD (ECF No. 42);

10 WHEREAS, the Court by its Order (upon a first request)—in ECF No. 49—has set Augst 5,
11 2022 as the last date that the Plaintiffs can file responses and oppositions to the Verizon MTD.
12 (ECF. No. 42);

13 WHEREAS, the Court by its Order (upon a first request)—in ECF No. 49—has also set
14 August 5, 2022 as the last date that the Plaintiffs’ can file responses and oppositions to the Conduent
15 MTD (ECF. No. 44);

16 WHEREAS, the Verizon MTD and the Conduent MTD each recite they “join” the other, but
17 still remain two separate motions to dismiss that must be responded to (with an opposition and/or
18 response for each) but bear the same due dates for oppositions and responses respectively which
19 periods fully overlap and run concurrently (simultaneously);

20 WHEREAS, because of other litigation of lead counsel for the Plaintiffs, unavoidable
21 unexpected legal commitments, the dual overlapping motions-to-dismiss (one filed by Verizon
22 Defendants and the other filed by Conduent Defendants respectively) filed by the defendants in this
23 Case and a hand injury of lead counsel for the Plaintiffs (limiting certain hand use), and because
24 nearly all the same issues concerning timing, scheduling, overlapping of time-and-demands and
25 judicial economy still persist and additionally the Plaintiffs’ time to oppose (and respond to) ECF
26 No. 42 has been substantially detracted from (and reduced) by overlapping discovery related (and
27 discovery planning and discovery conferencing with the Conduent Defendants and Verizon
28 Defendants) issues-and-demands in this matter such that the Plaintiffs’ time to oppose (and respond

to) ECF No. 42 (the Verizon MTD) should be enlarged by 17-days the Plaintiffs have requested (and the Verizon Defendants and Conduent Defendants have agreed to and stipulated to) a 17-day extension (and enlargement) of time until the end of **Monday August 22, 2022 PDT** for the Plaintiffs to file an opposition (and/or response) to the Verizon MTD (and *all* arguments therein, inclusive of but not limited to extending such period until the end of **Monday August 22, 2022 PDT to file** an opposition to the Verizon Defendants and any parties that joined the Verizon MTD);

WHEREAS, the Plaintiffs assert that the proposed requested 17-day extension from August 5, 2022 until the end of August 22, 2022 will allow the Plaintiffs to obtain the documents and information necessary to respond to (and oppose) the Verizon MTD and submit (and prepare) necessary filings);

WHEREAS, two different motions-to-dismiss were filed (by different defendants) in this Case on June 17, 2022 each respective motion with a due date to respond by August 5, 2022 which means the time for the Plaintiffs to respond to and oppose each such respective motion fully overlaps the other (and 26f Conference times, discovery planning and drafting discovery related documents and discovery related stipulations), and whereas each of the two aforesaid motions respectively requires a separate response from the Plaintiffs;

WHEREAS, this stipulation is filed prior to the current August 5, 2022 due dates (deadline) to oppose, and respond to the Verizon MTD (ECF No. 42) and the Conduent MTD (ECF No. 44);

WHEREAS, Fed. R. Civ. P. 6(b) requires the Court to approve an extension of time to file oppositions and responses, and therefore the Plaintiffs, Conduent Defendants, and the Verizon Defendants collectively respectfully request that the Court approve the stipulation, and HEREBY STIPULATE AND AGREE (and respectfully request that the Court GRANT and ORDER the relief requested hereunder) as set forth below:

- a. This is the Stipulating Parties' ***second stipulation*** for an enlargement of time for the Plaintiffs to file an opposition and response to the Verizon MTD (ECF. No. 42)(and to also oppose and respond to any party that joined the Verizon MTD);
- b. The Stipulating Parties stipulate and agree that the deadline for the Plaintiffs to oppose and respond to the Verizon MTD (ECF No. 42) (including opposing the Verizon Defendants

and any party who joins the Verizon MTD and any arguments the Verizon MTD has joined) shall be extended to 17-days from August 5, 2022 until the end of **Monday August 22, 2022 PDT** such that the Plaintiffs shall have until the end of **Monday August 22, 2022 PDT** to oppose and respond to the Verizon MTD and that respectfully the Court should grant such relief; and

c. This stipulation is made in good faith and not made for purposes of delay.

IT IS SO STIPULATED.

/s/ Ikenna Odunze

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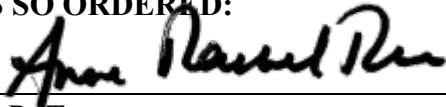
Employee Benefits Committee; Kevin

Cammarata; Verizon California Inc.; Verizon

Communications Inc.; Verizon Services Corp.;

and Verizon North LLC

IT IS SO ORDERED:



Anne R. Traum

UNITED STATES DISTRICT JUDGE

DATED: July 28, 2022